

1 BRIAN M. DAUCHER, Cal. Bar No. 174212
2 ROBERT S. BEALL, Cal. Bar. No. 132016
3 JOSEPH H. TADROS, Cal. Bar. No. 239379
4 ASHLEY E. MERLO, Cal. Bar No. 247997
5 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
6 A Limited Liability Partnership
7 Including Professional Corporations
8 650 Town Center Drive, 4th Floor
9 Costa Mesa, California 92626-1993
10 Telephone: (714) 513-5100
11 Facsimile: (714) 513-5130
12 bdaucher@sheppard.mullin.com
13 jtadros@sheppardmullin.com

14 Attorneys for Defendants

15
16 UNITED STATES DISTRICT COURT
17
18 CENTRAL DISTRICT OF CALIFORNIA

19 TRAFFICSCHOOL.COM, INC., a
20 California corporation; DRIVERS ED
21 DIRECT, LLC., a California limited
22 liability company,

23 Plaintiffs,

24 v.

25 EDRIVER, INC., ONLINE GURU,
26 INC., FIND MY SPECIALIST, INC.,
27 and SERIOUSNET, INC., California
28 corporations; RAVI K. LAHOTI, an
individual; RAJ LAHOTI, an
individual; DOES 1 through 10,

19 Defendants.

20 Case No. CV 06-7561 PA (CWx)

21 *The Hon. Percy Anderson*

22
23 [PROPOSED] ORDER GRANTING
24 DEFENDANTS' MOTION FOR
25 STAY OF INJUNCTION PENDING
26 APPEAL

27 Complaint Filed November 28, 2006
28 Trial Commenced: November 6, 2007

1 On Tuesday, October 14, 2008, at 1:30 p.m. in courtroom 15 of the above
2 entitled court, the motion for stay of injunction pending appeal of defendants
3 EDriver Inc., Online Guru, Inc., Find My Specialist, Inc., SeriousNet, Inc., Ravi K.
4 Lahoti and Raj Lahoti ("Defendants") came on for hearing, the Honorable Percy
5 Anderson, Judge, presiding.

6 The Court, having considered the Motion, memorandum of points and
7 authorities, and other papers filed, and having heard arguments of counsel, as well
8 as any documents filed in opposition to the Motion, and having found good cause
9 therefor, orders as follows:

10 IT IS HEREBY ORDERED THAT:

11 1. The permanent injunction entered August 26, 2008 by this Court is
12 stayed pending appeal; and

13 2. During the period in which the injunction is stayed, Defendants shall
14 not expressly recommend or endorse any third party traffic school or driver's
15 education advertiser on the DMV.ORG website and are to maintain the level of
16 disclaimers existing on the website as of August 27, 2008, including:

17 (a) Employ either the term "unofficial" or "independent" in all search
18 engine result listings (sponsored and organic listings) that directly
19 relate to either traffic school or driver's education;

20 (b) Employ a highlighted disclaimer in 16 point font at the top of every
21 page of the DMV.ORG website stating: "DMV.ORG is a privately
22 owned website that is not owned or operated by any government
23 agency."

24 (c) Require every visitor sending any communication to DMV.ORG to
25 check a disclosure box that states: "I acknowledge that DMV.ORG is a
26 privately owned website that is not owned or operated by any
27 government agency."

- 1 (d) Not expressly recommend or endorse any third party traffic school or
- 2 driver's education advertiser on the DMV.ORG website.
- 3 (e) Use the word "unofficial" or "independent" in the DMV.ORG logo
- 4 (f) Use the text "The Unofficial Guide to the DMV" on the main
- 5 homepage and state specific homepages of the website
- 6 (g) Include the disclaimer "DMV.ORG is not affiliated with any
- 7 government agency" in close proximity to the navigation of the
- 8 website.

9
10 IT IS SO ORDERED.

11
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13 Dated: _____

14 THE HONORABLE PERCY ANDERSON
15 Central District of California

16 Dated: September 10, 2008

17 Respectfully submitted,

18 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

19
20 By _____

21 BRIAN M. DAUCHER

22 Attorneys for Defendants

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